

CHAPTER 9515

DEPARTMENT OF PUBLIC WELFARE

STATE HOSPITAL ADMINISTRATION

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9515.1200 DEFINITIONS.

[For text of subps 1 to 9, see M.R. 1983]

Subp. 10. **Inpatient, resident patient.** "Inpatient" or "resident patient" means a person who occupies a bed in a state hospital for the purpose of observation, care, diagnosis, or treatment.

[For text of subps 11 and 12, see M.R. 1983]

Subp. 13. **Outpatient, day care patient.** "Outpatient" or "day care patient" means a person who makes use of diagnostic, therapeutic, counseling, or other services in a state hospital facility or through state hospital personnel but does not occupy a hospital bed overnight.

[For text of subps 14 to 20, see M.R. 1983]

Subp. 21. **Responsible relative.** "Responsible relative" means the spouse, the parents of minor children, and in the case of the mentally ill or chemically dependent, the adult children of a patient, in that order of liability for cost of care.

[For text of subp 22, see M.R. 1983]

Statutory Authority: MS s 246.51 subd 2

History: 8 SR 172

9515.1500 FINANCIAL INTERVIEW.

When a person is interviewed, the department shall:

A. inform the person that he or she may choose an individual to assist in the determination process and any other contact with the department by authorizing such assistance in writing;

B. provide the person with an informational pamphlet on cost of care and review with the person how the department determines the charges for the patient's cost of care;

C. inform the person that financial information obtained from the person will not be released without the person's written consent except pursuant to Minnesota Statutes, chapter 13;

D. inform the person of county, state, and federal financial programs which may assist in paying the cost of care and meeting personal and family needs;

E. inform the person of the legal obligation to provide sufficient information, required documents, and proof necessary to determine ability to pay and of the consequences of the failure to do so;

F. provide the person the following forms which the department uses to investigate the person's financial resources: the financial information form, the insurance claim and assignment of insurance benefits form, and the form or forms consenting to the release of information necessary to obtain or verify information about the person's resources; and

G. request the person to complete and sign the forms provided by the department and to provide verification of financial information.

Statutory Authority: *MS s 246.51 subd 2*

History: *8 SR 172*

9515.2300 NET INCOME OF PATIENT.

[For text of subps 1 to 3, see M.R. 1983]

Subp. 4. **Deductions from gross income to arrive at net income.** The following items shall be deducted from the patient's monthly gross income:

[For text of subp 4, items A to J, see M.R. 1983]

K. A personal needs and clothing allowance of the inpatient in the amount determined in accordance with Minnesota Statutes, section 256B.35 for persons receiving public assistance grants. In addition, a special personal allowance drawn solely from earnings from any productive employment under an individual plan of rehabilitation or work therapy shall be given to all patients in state hospitals. The special personal allowance shall not exceed \$50 per month. This amount shall be adjusted in accordance with the limit established by the department pursuant to Minnesota Statutes, section 256B.36 for persons receiving public assistance grants;

[For text of subp 4, items L to N, see M.R. 1983]

Statutory Authority: *MS s 246.51 subd 2*

History: *8 SR 172*

9515.2500 PROPERTY OF PATIENT.

[For text of subps 1 and 2, see M.R. 1983]

Subp. 3 **Personal property.** The value of the following personal property shall be excluded from consideration as a resource:

[For text of subp 3, item A, see M.R. 1983]

B. the cash or liquid assets for a single patient and the cash or liquid assets for a married couple shall be the standard for medical assistance recipients as provided in Minnesota Statutes, section 256B.06, as from time to time amended;

C. indian claim payments made by Congress to compensate for tribal land taken by the federal government;

D. Minnesota Housing Finance Agency loans for nine months after issuance;

E. one vehicle;

F. household goods and furniture;

G. clothing;

H. manufactured home used as a home by the patient or the patient's dependents;

I. personal jewelry;

J. bicycles;

K. cameras;

L. life insurance owned by the patient shall be the standard for medical assistance recipients as provided in Minnesota Statutes, section 256B.06, as from time to time amended;

M. trust funds, however trust funds are not excluded from consideration if the trustee is required or has discretion to use the funds for paying the cost of care or the funds are designated for care, support, maintenance, or medical care even if the trust requires that public funds must first be exhausted; and

N. burial expenses, including a burial lot and a prepaid burial account, shall be the standard for medical assistance recipients as provided in Minnesota Statutes, sections 256B.06 to 256B.07, as from time to time amended

[For text of subps 4 to 7, see M R. 1983]

Statutory Authority: *MS s 246.51 subd 2*

History: *8 SR 172*

9515.2600 RESPONSIBLE RELATIVE'S ABILITY TO PAY.

[For text of subps 1 to 3, see M R. 1983]

Subp. 4. **Liability of responsible relatives.** When the sum of the benefits described in subpart 3 and the patient's other resources pay less than the full cost of care, the ability of each responsible relative to pay shall be determined in the statutory order of liability for cost of care. When two or more responsible relatives have the same order of liability for cost of care, a determination shall be made for each one except that a joint determination shall be made for parents who reside in the same household. This provision applies to parents of a minor child and to the adult children of a mentally ill or chemically dependent patient.

Subp. 5. **Limitations on relative's ability to pay.** The ability of a responsible relative to pay shall be determined from the annual gross earnings of the responsible relative subject to the following limitations:

A. A responsible relative who verifies annual gross earnings of less than \$11,000 shall be determined not able to pay the cost of care.

B. No responsible relative who is a resident of Minnesota shall be ordered to pay more than ten percent of the cost of care for each patient except that the responsible relative who has failed to provide the information, documents, and proofs which are necessary to determine ability to pay as required by part 9515.1500, items F and G may be ordered to pay the full per capita cost of care until such time as they are provided.

C. The department may require full payment of the full per capita cost of care for a patient whose parents or parent, spouse, guardian, or conservator do not reside in Minnesota and are financially able to pay as determined by the department.

D. Only the annual gross earnings of the spouse of a patient shall be used to determine the spouse's ability to pay.

E. When a responsible relative is married to a person who is not a responsible relative, only the annual gross earnings of the responsible relative shall be used to determine the responsible relative's ability to pay.

F. The department may accept from the responsible relatives voluntary payments in excess of ten percent

Subp. 6. **Determination of relative's ability to pay.** A responsible relative who provides the department the information, documents, and proofs necessary to determine ability to pay as provided in part 9515.1500, items F and G shall have his or her ability to pay determined from the table in subpart 8. For purposes of this table, household size consists of the responsible relative and the responsible relative's dependents living in the responsible relative's household, other than the patient.

A responsible relative who chooses not to provide the department the information, documents, and proofs necessary to determine ability to pay as provided in part 9515.1500, items F and G may be determined liable for the full per capita cost of care.

Subp. 7. **Purpose of table.** The table in subpart 8 shall be used to determine a relative's ability to pay, as described in subpart 6. When there is a change in the per capita cost of care, the department shall revise subpart 8. Adjustments shall be made according to the following formula: at each level of annual gross earnings, daily payments equal to ten percent of the per diem for

the previous year shall be adjusted to equal either the daily payment at the next lower level of earnings plus 25 percent, or ten percent of the per diem for the current year, whichever is less; successive levels of earnings shall be added to subpart 8 if needed to incorporate daily payments up to ten percent of the per diem for the current year; the daily payment of a responsible relative whose earnings are above these levels shall be at ten percent of the current per diem.

[For text of subps 8 to 11, see M.R. 1983]

Statutory Authority: *MS s 246.51 subd 2*

History: *8 SR 172*